

Section 5: HUD's Review

HUD must receive the redevelopment plan and homeless assistance submission no later than 270 days from the deadline for receipt of NOIs. HUD's Base Redevelopment Team in Washington, D.C., and the appropriate local HUD Field Office review these documents and together formulate a determination.

HUD will conduct the described in the program regulations as 24 CFR 586.35, including a three-pronged evaluation:

1. **Completeness Review.** HUD determines whether the redevelopment plan and the homeless assistance submission contain all required elements (see Section 4). If any materials are omitted, HUD's local Field Office will contact the LRA.
2. **Balance Review.** During its review, HUD will ask several questions regarding:
 - Outreach to homeless assistance providers. Was adequate information and assistance given to the community of local homeless assistance providers to participate in the development of the application? Did they have adequate time and help in responding to the solicitation for NOIs?
 - Impact. Does the overall reuse plan consider the economic impacts of homeless assistance activities proposed in the application?
 - Need. Does the reuse plan consider the size and nature of the local homeless population and the availability of necessary services and facilities for a Continuum of Care?
 - Consistency. Is the reuse plan consistent with the Consolidated Plan or other planning documents adopted by the community?
 - Balance. Does the reuse plan achieve an appropriate balance between the expressed needs of homeless assistance providers and the needs of the communities served by the LRA for economic development and other development?

3. **Enforceability review.**

HUD will determine whether the LRA adequately addressed NOIs received from homeless assistance providers relative to NOIs received from other interests in the community and developed a balanced plan that addresses some of the various needs within the community.

HUD will communicate with the LRA throughout the planning process as well as during its review of the application via its local Field Office. The Field Office may contact the LRA to obtain clarification and/or to request additional information. HUD will complete its review within 60 days of the application's receipt.

Adverse Determinations - LRA's Initial Application

HUD must notify the LRA and DoD of its preliminary determination. If the application is found to be deficient, HUD must send to the LRA:

- A summary of deficiencies.
- An explanation of the overall determination.
- A statement explaining how the LRA may overcome any deficiencies and change the overall determination.

The LRA may submit a revised application within 90 days. Within 30 days of receipt of these materials, HUD must provide a written notification to the LRA as to its final determination.

Adverse Determinations – LRA's Revised Application

If the final determination regarding the LRA's application is not favorable or the LRA fails to resubmit a revised application, HUD will work directly with homeless assistance providers who have expressed interest in the use of installation buildings and properties. In these instances, the Redevelopment Act provides for HUD to determine the information necessary for homeless assistance providers to submit an application to HUD. The Department will evaluate the financial and other capacities of various homeless assistance organizations to carry out programs for the reuse of installation buildings and properties.

Not later than 90 days after HUD receives the revised redevelopment plan and homeless assistance submission, HUD will notify DOD and the LRA of the buildings and properties that are suitable to use for homeless assistance. HUD also will notify DoD of the extent to which the revised plan meets the review criteria.

DOD will consult with both HUD and the LRA in considering HUD's recommendations. DOD will incorporate HUD's recommendations where appropriate and consistent with the best use of the installation as a whole, taking the LRA's overall reuse plan into account.

Completeness Review. The following pages contain the HUD Completeness Review Checklist that is used to determine if an application is complete. It may be helpful for LRAs to use it as well.

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

Base Closure Community Redevelopment and Homeless Assistance Act

**Redevelopment Plan and Homeless Assistance
Submission Completeness Review**

Name of the Installation

Name of the Local Redevelopment Authority

Redevelopment Plan

1. yes__ no__ Does the LRA Application include a redevelopment plan for the installation?

Outreach to Homeless Assistance Providers

2. yes__ no__ Does the LRA Application include a list of the political jurisdictions that comprise the LRA?
3. yes__ no__ Does the LRA Application include a copy of the LRA newspaper advertisement from a newspaper of general circulation in the vicinity of the installation?
- 3a. yes__ no__ Did the newspaper advertisement announce the receipt of notices of interest for a minimum of 90 days, maximum 180 days?
4. yes__ no__ Does the LRA Application provide a list of homeless assistance providers consulted during the outreach process?
5. yes__ no__ Does the LRA Application discuss the LRA's overall efforts of outreach to homeless providers in the community in the vicinity of the installation?

6. yes__ no__ Does the LRA Application discuss the workshop that was conducted during the outreach period?

Information about Homeless in the Vicinity of the Installation

7. yes__ no__ Is there a list of all the political jurisdictions that comprise the LRA?

- 7a. yes__no__
n/a__ Does the LRA Application include copies of the appropriate Consolidated Plan(s) Tables 1 and 2 along with appropriate narrative? LRAs that represent cities within urban counties should comment on how the Consolidated Plan applies to their particular jurisdiction.

- 7b. yes__ no__
n/a__ If the community in the vicinity of the installation is not an entitlement city or a city in an urban county, did the LRA provide information on the homeless population?

Notices of Interest (NOIs)

8. yes__ no__
n/a (no NOIs) Does the LRA include a copy of each NOI received from homeless providers (this includes both approved and disapproved NOIs)?

- 8a. yes__ no__
n/a (no NOIs) Does the LRA explain why each NOI from a homeless assistance provider was either approved/disapproved?

Legally Binding Agreements (LBAs)

9. yes__ no__ Does the LRA Application include an LBA for each of the selected NOIs with homeless assistance providers?

- 9a. yes__ no__ Does each LBA for property have an ‘environmental renegotiation’ clause (586.30(b)(3)(i)), i.e., does each LBA provide for a process for negotiating alternative arrangements that would enable the same balance of interests made originally in the event that an environmental review conducted subsequent to HUD approval indicates that any property identified for transfer in the agreement is not suitable for the intended purpose?

- 9b. yes__ no__ Does each LBA have a 'Reverter' clause (586.30(b)(3)(i) and 586.45(e)), i.e., when an LBA discusses on-base property awards, does it provide for the reversion or transfer, either to the LRA or to another entity or entities, of building and property in the event they cease to be used for the homeless?
10. yes__ no__ Does the LRA application discuss how the LBA(s) with homeless
n/a__ providers meet gap(s) in the continuum of care?
11. yes__ no__ Does the LRA application discuss how the LBAs may/may not
n/a__ impact the community in terms of:
- 11a. yes__ no__ the impact the homeless housing and services provided
n/a__ through the LBA(s) might have on the community?
- 11b. yes__ no__ the concentration of homeless/low income individuals and
n/a__ families in the community?
- 11c. yes__ no__ availability of general services in support of the homeless
n/a__ persons or families served by LBA(s)?
12. yes__ no__ Are the LBA's executed?
n/a__
- If unexecuted:
- 12a. yes__ no__ Are LBA acceptance letters provided from each non-profit
with an LBA?
- 12b. yes__ no__ If the non-profit is an umbrella or consortium organization,
did the provider organizations consent to the arrangement
with the umbrella/consortium and LRA as reflected within
the LBA?
13. yes__ no__ Has the LRA's or political jurisdiction's chief legal counsel
provided an opinion for LBA(s) as to their enforceability
under State law (586.30(b)(3)(i)?

Balance between Economic Redevelopment, Other Development, and Homeless Assistance

14. yes__ no__ Does the LRA Application discuss how the LBAs are the
n/a__ consistent with Consolidated Plan?
- 14a. yes__ no__ Does the LRA Application relate the LBAs to the priorities
n/a__ discussed in the Consolidated Plan?
- 14b. yes__ no__ Does the LRA Application describe how it balances the
n/a__ needs for economic redevelopment, other development, and
homeless assistance?

Public Comment Requirements

15. yes__ no__ Does the LRA Application provide an overview of the citizen
participation process?
- 15a. yes__ no__ Does the LRA Application provide information on the
public hearing?
- 15b. yes__ no__ Does the LRA Application include a summary of the
comments from the public hearing on the draft application?

Public Benefit Transfer Outreach

16. yes__ no__ Does the LRA Application contain evidence that public benefit
transfer outreach was conducted?

Field Office Review completed by: _____ on _____
Name Date

Headquarters Review completed by: _____ on _____
Name Date